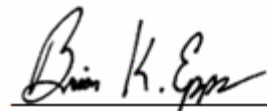


Plaintiff has also motioned for leave to take a deposition by written questions similar to his prior motion filed on May 26, 2016. (See doc. no. 69.) The only difference is that in the notice of deposition attached to the motion, Plaintiff avers that he will bear the cost of the

deposition. (Doc. no. 73, p. 4.). Plaintiff has also attached to the motion twenty-five proposed questions for Defendant. (See doc. no. 73, pp. 6-10.)

Fed. R. Civ. P. 31 does not require leave for Plaintiff to take a deposition of Defendant by written questions. Further, Defendant does not supply any information as to how he will pay for the deposition or what arrangements he has made for the deposition. Given the scant information in his motion, it appears that Plaintiff expects Defendant to make the arrangements. If Plaintiff wishes to use a deposition as a discovery method, he must make his own arrangements to have an officer under Fed. R. Civ. P. 28 present and confer with Defendant for a time and place agreeable to take the deposition. Accordingly, the Court **DENIES AS MOOT** Plaintiff's motion for deposition upon written questions. (Doc. no. 73.)

SO ORDERED this 2nd day of August, 2016, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA